

DEPARTMENT RESPONSE TO THE RECOMMENDATIONS OF THE MTT

	Findings	Recommendations	Actions	Responsibility	National Department
1.	<p>SADTU officials or representatives exerted improper influence.</p> <p>A Senior District official acted improperly in support of the promotion of a friend</p>	The Illegal action by educators identified by the MTT be reported to SAPS for further action and that the Minister engages her counterpart in the police to dedicate resources to this category of cases to ensure fair and expeditious resolution.	Disciplinary Action be taken against those officials who had the responsibility to check acts of corruption but failed to do so	NWDoE	<p>Monitor the implementation of the remedial action by the NWDoE</p> <p>Ensure that Section 34 of the Prevention and Combating of Corrupt Activities Act is not violated</p>
2.	<p>Posts are being sold for cash, that the parties operate in networks, and that there is a climate of fear that keeps people from exposing these practices.</p>	That disciplinary action be taken against those officials who had the responsibility to check acts of corruption but failed to do so.	Action should be taken quickly to protect whistle-blowers. It is recommended that the Education Department establish a dedicated unit to receive complaints about the selling of posts and to direct such reports to competent authorities and follow up those reports	PED	<p>Monitor the handling of disciplinary cases and ensure further investigations conducted by the MTT. The Minister has extended the forensic investigation part of the MTT to finalise the complaints that were received from individual late into the investigation by the MTT.</p> <p>Where there are finding of guilt after a disciplinary hearing, the PED's must ensure that the educator cases are reported to SACE for further processing.</p>
3.	<p>Union influence often exceeds the regulatory bounds, especially where administrative action is weak.</p>	That action should be taken quickly to protect whistle-blowers. It is recommended that the Education Department establish a dedicated unit to receive complaints about	That the Department of Basic Education regain control of administering the education system in all Provinces so that clear distinctions are established	DBE	<p>Administrative processes should be rigorously and timeously followed.</p> <p>Ensure mechanisms for the creation of selection panels which have authority</p>

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		the selling of posts and to direct such reports to competent authorities and follow up those reports	<p>between the roles and functions of the DBE and the concerns of Teacher Unions.</p> <p>The Minister require all Provinces to complete and implement their delegations frameworks in line with the Cabinet approved 2013 Public Administrations delegations framework and that the Minister adjust the Education sector legislation accordingly</p>		<p>and which are accountable as a measure to eliminate corruption in the recruitment process.</p> <p>The provincial departments will establish a Review Committees to ratify the recommendation of the SGB selection panels. The Committees would be chaired by a Directors or higher ranking officials. Members of the committee may be drawn from various sections of the department who are at Deputy Director or Chief Education Specialist level.</p>
4.	The administration and education system in all Provinces are not well established	That the Department of Basic Education regain control of administering the education system in all Provinces so that clear distinctions are established between the roles and functions of the DBE and the concerns of Teacher Unions.	The Minister should require all Provinces to complete and implement their delegations frameworks in line with the Cabinet approved 2013 Public Administrations delegations framework and that the Minister adjust the Education sector legislation accordingly	DBE	<p>Regain control of administering the education system in all Provinces so that clear distinctions are established.</p> <p>In the interim, the DBE will develop guidelines on how to create review panels consisting of officials that would review the recommendations of the SGB's before a decision approve is taken. The purpose of these review panels will be to assist SGB's to select the best candidate that meet the competency requirements of the post. (See also 12 below)</p>
5.	There are flaws in the process of the	That the Minister require all Provinces to complete and	The powers of School Governing Bodies to make	DBE	Guidelines to assist SGB's to select competent interviewing panels will be

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	recruitment of educators.	implement their delegations frameworks in line with the Cabinet approved 2013 Public Administrations delegations framework and that the Minister adjust the Education sector legislation accordingly	recommendations for the appointment of post level 2 and above be taken away and that the South African Schools Act and the Employment of Educators Act be amended to reflect this.		<p>developed. These guidelines will call on SGB's to select not only among themselves but in the community; individuals who are capable and knowledgeable of performing selection and interview functions.</p> <p>Positions of school management teams should be subjected to selection processes which ensure that competent and qualified candidates are appointed.</p>
6.	The Governing Body should not play any role in the appointment process other than an advisory role.	That the powers of School Governing Bodies to make recommendations for the appointment of post level 2 and above be taken away and that the South African Schools Act and the Employment of Educators Act be amended to reflect this.	Principals should be selected by means of panels which have the resources to evaluate the competence and suitability of the candidates for their leadership, management as well as their academic, experiential and professional abilities. The panels should include educators of suitable rank and experience. The pre-interviewing testing of candidates should occur and the results should be available to the panel members. The interviewing panels should be convened by the District Managers and a Departmental representative should be present as a suitably	DBE	<p>Section 20 (1)(i) and (j) directs that the SGB must recommend to the Head of Department the appointment of educators and non-educators at a school, subject to the Employment of Educators Act, 1998 (Act No. 76 of 1998), and the Labour Relations Act, 1995 (Act No. 66 of 1995).</p> <p>This is a fundamental power of the SGB which creates an enabling environment for public participation in the education system.</p> <p>SGB's must be capacitated to perform their duties and where possible be encouraged to request assistance from the PED to conduct the selection</p>

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			prepared Resources Person, having, for example, full details of the schools for which the interviews are being held.		<p>processes.</p> <p>The proposed Review Committees of a PED must assess the recommendations of the SGB and where applicable advise the SGB to reconstitute the selection panel with competent members or request the Department to conduct the selection process for it. (see also 12 below)</p>
7.	School principals are key to shaping and strengthening the culture and ethos of our schools	Principals should be selected by means of panels which have the resources to evaluate the competence and suitability of the candidates for their leadership, management as well as their academic, experiential and professional abilities. The panels should include educators of suitable rank and experience. The pre-interviewing testing of candidates should occur and the results should be available to the panel members. The interviewing panels should be convened by the District Managers and a Departmental representative should be present as a suitably prepared Resources Person, having, for example, full details of	It should not be possible for a person to be promoted to principal from a post-level 1 position. Insofar as this happens at present, regulations should prohibit it.	DBE/PED	The National Development Plan calls for a change in the appointment process to ensure that competent individuals are attracted to become school principals. As in other senior management positions, candidates should undergo a competency assessment to determine their suitability and identify the areas in which they would need development and support. These measures will be designed to give effect to the provisions of the National Development Plan and to improve the recruitment of competent school managers. School deputy principals and principals will be selected from candidates who possess appropriate managerial competences.

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		the schools for which the interviews are being held.			<p>These procedures are drawn from the basis that strong and competent School Management Teams are essential in improving our public schooling system.</p> <p>For this reason, it is imperative that public school managers be selected from those candidates who have been evaluated and certified as possessing the competencies and proficiencies deemed necessary for success in the field. For effective appointment to take place, the department will play a more central and influential role.</p> <p>Measures to introduce competency assessment will be introduced soon.</p> <p>Each Provincial Education Department will be assisted to establish an assessment centre and appoint assessors where competency diagnostic tools are developed and assessments conducted.</p> <p>Alternatively, the PED must appoint a credible service provider to manage the assessment process. The role of the assessment centre or service provider will be to:</p>

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					<ul style="list-style-type: none"> • Design the competency assessment tool; • Conduct the assessment; • Analyse the tests results; • Generate the assessment report; • Develop a data base for all tested candidates; and • Identify and recommend focus areas for the training of school managers based on the diagnostic report of the assessments. <p>Make recommendations as to the most suitable candidate or otherwise. (see also 12 below)</p>
8.	Teacher Unions representatives at selection panels are mere observers	It should not be possible for a person to be promoted to principal from a post-level 1 position. Insofar as this happens at present, regulations should prohibit it.	That the observer status of Unions be renegotiated with respect to the recruitment process.	DBE/PED	<p>The teacher unions also have a stake in the fair and just transfer or appointment of everyone in the education system.</p> <p>The collective agreement dealing with the roles of unions will be reviewed to clarify the roles of unions during the selection processes</p> <p>Unions admitted to the PELRC must be invited to observe the entire selection process from shortlisting to the finalisation of the recommendation.</p>

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					<p>The role of the teacher unions is not to interfere with the appointment process by influencing any of the decisions during the shortlisting, interviewing or recommendation phases.</p> <p>Observers are there to observe that substantive and procedural fairness are adhered.</p> <p>Union observers may bring any substantive unfairness or procedural irregularities to the attention of the interview panel for a speedy resolution.</p>
9.	<p>Senior Management (SMS) interferes with the objectivity when it comes to their recommending candidates for appointment</p> <p>The deployment of officials to the Department from Unions weakens the Department</p>	That the observer status of Unions be renegotiated with respect to the recruitment process.	That both school- and office-based educators cease to be office-bearers of political parties and that educators in management posts (including school principals), be prohibited from occupying leadership positions in Teacher unions.	DBE	<p>It is the responsibility of the DBE to ensure that the rights conferred by section 23 of the Constitution are protected and no one is prevented from exercising these rights. No rights of any worker will be curtailed.</p> <p>The role of the teacher unions is not to interfere with the appointment process by influencing any of the decisions during the shortlisting, interviewing or recommendation phases.</p> <p>Observers are there to observe that</p>

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					substantive and procedural fairness are adhered Union observers may bring any substantive unfairness or procedural irregularities to the attention of the interview panel for a speedy resolution.
10.	The formation of occupational Unions for office-based educators must be done.	That both school- and office-based educators cease to be office-bearers of political parties and that educators in management posts (including school principals) be prohibited from occupying leadership positions in Teacher unions.	That it seems desirable that separate and distinct Unions be established for office-based educators.	DBE	It is the responsibility of the DBE to ensure that the rights conferred by section 23 of the Constitution are protected and no one is prevented from exercising these rights. All rights conferred by the Constitution and the Labour Relations Act are protected and no one will be prevented from joining a union of his/her choice.
11.	Cadre deployment by Unions has weakened the education system.	That it seems desirable that separate and distinct Unions be established for office-based educators.	Measures be put in place to ensure that the practice of cadre deployment into DBE offices and schools ceases entirely.	DBE/PED	The teacher unions also have a stake in the fair and just transfer or appointment of everyone in the system. The collective agreement dealing with the roles of unions will be reviewed to clarify the roles of unions during the selection processes Unions admitted to the PELRC must be invited to observe the entire selection process from shortlisting to the finalisation of the recommendation.

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					<p>The role of the teacher unions is not to interfere with the appointment process by influencing any of the decisions during the shortlisting, interviewing or recommendation phases.</p> <p>Observers are there to observe that substantive and procedural fairness are adhered.</p> <p>Union observers may bring any substantive unfairness or procedural irregularities to the attention of the panel for a speedy resolution.</p>
12.	Concern in the supply value chain in the appointment of educators	That measures, be put in place to ensure that the practice of cadre deployment into DBE offices and schools ceases entirely.	Those who are appointed to Districts and provincial offices should be required to demonstrate their capacity to carry out the job for which they have applied. There should no political appointments, nor cadre deployments. People in these posts must be accountable to their employer and be assessed regularly. Furthermore the role of Circuit offices need to be redefined in a way that eases pressure on the District office in terms of managing employment	DBE/PED	<p>The provincial department will be required to establish a <u>Review Committee to ratify the recommendation of the selection panel</u>.</p> <p>Each Committee must be chaired by a <u>Director or higher ranking official</u>. Members of the committee may be drawn from various sections of the department who are at Deputy Director or Chief Education Specialist level.</p> <p>It is the duty of the Review Committees</p>

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			relations closer to institutions/schools.		<p>to:</p> <ul style="list-style-type: none"> ratify the work of the selection panel ascertain fitness of each candidate and the likelihood of the candidate's pursuing a productive career; and In judging the fitness of the candidate, it is appropriate to consider professional integrity and competency and proficiency as evidenced by performance of duties.
13.	No philosophy or overall vision for the post 1994 Departments of Basic and Higher Education and Training has developed.	Those who are appointed to Districts and provincial offices should be required to demonstrate their capacity to carry out the job for which they have applied. There should no political appointments, nor cadre deployments. People in these posts must be accountable to their employer and be assessed regularly. Furthermore the role of Circuit offices need to be redefined in a way that eases pressure on the District office in terms of managing employment relations closer to institutions/schools.	That the DBE and the DHET, with universities and other stakeholders including the unions lead discussion aimed at developing a broad-based philosophy of education, consistent with our history and Constitution, which will underpin the education and training of educators and shape the practice of education in schools throughout South Africa	DBE, DHET	The vision or philosophy for education should be co-ordinated and funded by the DBE and the DHET with the participation of all teacher education institutions as well as a wide range of stakeholders including the Unions.

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14.	SACE close links with and allegiance to a single Teacher Union, SADTU, has raised questions about its independence	That the DBE and the DHET, with universities and other stakeholders including the unions lead discussion aimed at developing a broad-based philosophy of education, consistent with our history and Constitution, which will underpin the education and training of educators and shape the practice of education in schools throughout South Africa	That the South African Council of Educators (SACE) be reconceptualised and freed from Union and political domination.	SACE	<p>SACE is the South African Council for Educators, a body established by law to uphold the education profession.</p> <p>The Department is working with the South African Council for Educators (SACE), the Department of Higher Education and Training (DHET), the Education Deans Forum and other stakeholders in the Basic Education Sector, towards the development of a professional standards framework for teachers.</p> <p>A SACE Advisory group on professional standards has been established. The Professional Standards Framework for teachers will consider introducing professional certification for newly qualified teachers, as stated in the National Development Plan (NDP).</p>
15.	Inexplicably, SACE has produced nothing of use for the Task Team other than an incomplete synopsis of some of the cases investigated.	That the South African Council of Educators (SACE) be reconceptualised and freed from Union and political domination.	That SACE releases to the Minister its full Report on the buying and selling of posts when completed.	SACE	The Department will investigate whether or not SACE had conducted an investigation on the alleged selling of post and if so, request the report.
16.	SACE has conducted investigations in	That SACE releases to the Minister its full Report on the buying and	To urge SACE to provide the minister with the Report	SACE	To ensure that SACE provides the Minister with the Report

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	different provinces on the buying and selling of posts	selling of posts when completed.			